

REMARKS

A telephone discussion between Examiner Hoyer and Dennis Smid (one of the applicants' undersigned attorneys) was held on February 16, 2007. The applicants and Mr. Smid wish to thank the Examiner for his time and consideration for such discussion.

Claims 1, 2 and 4-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Goldschmidt Iki et al. (U.S. Patent No. 6,594,825), in view of Chernock et al. (U. S. Patent No. 6,314,569), in further view of Lownes et al. (U.S. Patent No. 6,137,539).

Independent claim 1 recites in part the following:

"an audio and/or video signal transmitting apparatus including . . . information generating means for generating a digital information signal containing information identifying a type of only said transmitting apparatus and indicating a format type of only said analog audio and/or video signal or said digital audio and/or video signal, a multiplexing circuit for multiplexing the digital information signal and the digital audio and/or video signal and producing a multiplexed digital signal, and a digital input/output means for inputting/outputting said multiplexed digital signal,

. . .

means for superimposing the image signal on the display video signal, so that when displayed the predetermined characters or logo are superimposed on a displayed image such that a user can view the type of the audio and/or video signal transmitting apparatus and the format type pertaining to only the display video signal currently being displayed at the time the display video signal is displayed." (Emphasis added.)

It is respectfully submitted that the applied combination of Goldschmidt Iki, Chernock, and Lownes does not appear to specifically disclose the above features of claim 1. That is, and as discussed during the February 16 discussion, such applied combination of references does not appear to specifically disclose "information generating means for generating a digital information signal containing information identifying a type of only said transmitting apparatus" and "a multiplexing circuit for multiplexing the digital information signal and the digital audio and/or video signal" as in claim 1.

In explaining the above 103 rejection with regard to claim 1, the Examiner appears to rely on portions of Goldschmidt Iki for disclosing the information generating means of claim 1. Although Fig. 4 of Goldschmidt Iki appears to illustrate an electronic program guide, such guide illustrates information for a plurality of programs. As such, and unlike the information generating means of claim 1, Goldschmidt Iki as applied by the Examiner does not disclose "information generating means for generating a digital information signal containing information identifying a type of only said transmitting apparatus."

In further explaining the above 103 rejection of claim 1, the Examiner appears to acknowledge that Goldschmidt Iki does not disclose the multiplexing circuit of claim 1. However, the Examiner appears to assert that it would have been obvious to provide such multiplexing circuit in view of Chernock and in particular lines 41-55 of column 4 thereof. It is respectfully submitted that even if the electronic program guide of Fig. 4 of Goldschmidt Iki is multiplexed, such multiplexed signal would not be the same as that produced by the present multiplexing circuit. That is, the Goldschmidt Iki/Chernock multiplexed signal would not be formed from a digital information signal which may identify "a type of only said transmitting apparatus."

Accordingly, even combining Goldschmidt Iki and Chernock in the manner proposed by the Examiner would not produce the multiplexing circuit of claim 1.

Additionally, it is also respectfully submitted that the applied combination of references does not appear to disclose "means for superimposing . . . such that a user can view the type of the audio and/or video signal transmitting apparatus . . . pertaining to only the display video signal currently being displayed at the time the display video signal is displayed," as recited in claim 1. That is, in explaining the above 103 rejection with regard to claim 1, the Examiner appears to acknowledge that Goldschmidt Iki does not disclose the present means for superimposing. However, in an attempt to overcome such deficiency, the Examiner appears to rely on Lownes and in particular, Figs. 3A-3E and lines 5-38 of column 8 thereof. However, and as discussed during the February 16 discussion, such portions of Lownes do not appear to disclose the "type of the audio and/or video signal transmitting apparatus." Accordingly, even combining Goldschmidt Iki and Lownes in the manner proposed by the Examiner would not produce the means for superimposing specifically recited in claim 1.

Therefore, for at least the reasons discussed above, it is respectfully submitted that independent claim 1 is distinguishable from the applied combination of Goldschmidt, Chernock, and Lownes.

For reasons similar to those or partial similar to previously described with regard to independent claim 1, it is also respectfully submitted that independent claims 7 and 12 are also distinguishable from the applied combination of Goldschmidt, Chernock, and Lownes.

Claims 2, 4-6, 8-11, and 13-17 are dependent from one of independent claims 1, 7, and 12. Accordingly, it is also respectfully submitted that that claims 2, 4-6, 8-11, and 13-17

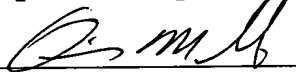
are also distinguishable from the applied combination of Goldschmidt, Chernock, and Lownes for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections and/or rejections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By  _____

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